

MINUTES FOR  
MONTGOMERY TOWNSHIP COMMITTEE MEETING  
October 2, 2014

1. Montgomery Township Committee met at the Municipal Building, 2261 Van Horne Road, Belle Mead, NJ at 7:00 p.m. on the above date. Those present were:

TOWNSHIP COMMITTEE: Mayor Smith, Deputy Mayor Sugden, Committeemembers Trzaska and Graham  
Committeewoman Madrid was absent

Also present were:

TOWNSHIP ATTORNEY - Kristina P. Hadinger, Esq.

TOWNSHIP ADMINISTRATOR - Donato Nieman

CHIEF FINANCIAL OFFICER - Walter Sheppard

TOWNSHIP CLERK - Donna Kukla

2. Mayor Smith stated the following: "Under the provisions of the Open Public Meetings Act, notice of the time and place of this meeting has been posted and sent to the officially designated newspapers."

3. Mayor Smith led the Salute to the Flag.

4. **APPOINTMENT OF POLICE SERGEANTS**

BE IT RESOLVED That Silvio J. Bet is hereby appointed Police Sergeant, effective October 3, 2014.

BE IT RESOLVED That Andrew T. Perry is hereby appointed Police Sergeant, effective October 3, 2014.

- 4-1. Committeewoman Graham moved the adoption of the foregoing resolution. The motion was seconded by Committeeman Trzaska and carried on the following:

**ROLL CALL** - Ayes - Graham, Trzaska, Sugden, Smith  
Nays - None  
Absent - Madrid

5. **SWEARING IN OF POLICE SERGEANTS - Silvio J. Bet and Andrew T. Perry**

- 5-1. Attorney Hadinger administered the Oaths of Office to Police Sergeants Silvio J. Bet and Andrew T. Perry.

- 5-2. Police Director Palmer presented each of the new Sergeants with their badges.

- 5-3. Administrator Nieman expressed his appreciation to the Township Committee for their role in the hiring process. He stated that approximately 15 eligible officers participated in the rigorous, three part process.

- 5-4. Mayor Smith congratulated the two new Sergeants. He complimented the entire Police Department, which he thinks is one of the best in the State.

- 5-5. Sergeant Silvio Bet thanked his family for their love and support. He also thanked the Mayor, the Governing Body, Administrator Nieman, the Police Captains and the Lieutenants for their sincere interest and participation in this promotional process, and more importantly the interest and evolution of the Police Department. He is looking forward to the challenges of this new position and is very confident that there will be a smooth transition because of the quality of the officers in the Police Department and the support and guidance of a great leadership.

- 5-6. Sergeant Andrew Perry thanked his family for their love and support. He reiterated what Sergeant Bet said regarding the Mayor and Governing Body, the Administrator, the Police Captains, Lieutenants and the officers. He looks forward to starting this new position and has no doubt that it is going to be a great responsibility and challenge, but he is confident that he is well prepared for it.

- 5-7. Police Director Palmer thanked the Governing Body for dedicating an enormous amount of time in the hiring, selection, and promotion process. He explained that it was deeply appreciated throughout the entire Police Department that the Governing Body became familiarized with the Police Department. That familiarity pays huge dividends. Familiarity breaks down many of the barriers that exists between elected officials and Police Departments. Those barriers don't exist in Montgomery Township. He stated that the Montgomery Township Police Department is comprised of highly educated, highly qualified, and highly motivated individuals.

6. **PROCLAMATION - New Jersey's 350<sup>th</sup> Anniversary**

WHEREAS, The year 2014 marks the 350th anniversary of the charter conveying all the lands between the Connecticut River and the east side of the Delaware River from England's Charles II to James, Duke of York; and

WHEREAS, The year 2014 marks the 350th anniversary of the execution of deeds of release of these lands by the Duke of York, to John Lord Berkeley, Baron of Stratton and Sir George Carteret. These lands and said tract of land was thereafter called Nova Caesarea or New Jersey; and

(Item #6 Cont.)

WHEREAS, During the Revolutionary War New Jersey was the location of major battles and minor skirmishes to which historic homes, battlefield sites and historical monuments bear testament today; and

WHEREAS, New Jersey has become known as the "Crossroads of the American Revolution", and was the first state to recognize the Bill of Rights; and

WHEREAS, Thousands of men and women from New Jersey have fought for our nation's freedom in many wars; and

WHEREAS, New Jersey is the location of national symbols such as Ellis Island, the Statue of Liberty, the Monmouth Battle Ground, Washington's Headquarters in Morristown, and Washington's final war-time headquarters at Rockingham; and

WHEREAS, New Jersey has many noted Firsts including the invention of the light bulb, phonograph, and movie by Thomas Edison, the first organized baseball game in 1846, and the first college football game between Rutgers and Princeton in 1869; and

WHEREAS, Montgomery Township takes great pride in its deep roots and valued heritage within the state of New Jersey and is the home of fine schools, active organizations of many kinds, pastoral country side and industrious, resourceful, community-minded people; and

WHEREAS, It is fitting and desirable that we commemorate these beginnings of our State together with its subsequent history and its present and future role in the family of the United States.

BE IT RESOLVED, That the Montgomery Township Committee urges the residents of Montgomery Township to celebrate the values of innovation, diversity and liberty which make New Jersey a state of prominence and outstanding significance within the greater union.

- 6-1. Committeeman Trzaska moved the adoption of the foregoing resolution. The motion was seconded by Deputy Mayor Sugden and carried unanimously.
- 6-2. Judy Peters, President of the Van Harlingen Historical Society, thanked the Township Committee for the proclamation and they hoped that the Governing Body would join the Historical Society on October 15, 2014 at 7:00 p.m. at their celebration of New Jersey's 350<sup>th</sup> Anniversary with an appearance of the first Governor, Lord Livingston.
7. **PROCLAMATION - Put the Brakes on Fatalities Day - October 10, 2014**

WHEREAS, Across the nation, traffic crashes caused approximately 34,000 fatalities in 2013, and are the leading cause of death for young people ages 15 to 34; and

WHEREAS, In New Jersey, 542 individuals lost their lives in traffic crashes in 2013; and

WHEREAS, Alcohol-related crashes accounted for 22.5 percent of the State's traffic fatalities, while 26 percent of all fatal crashes involved traveling at unsafe speeds; and

WHEREAS, Motorcyclists, bicycle riders and pedestrians face increased risks on New Jersey's roadways, as people opt for alternative modes of transportation; and

WHEREAS, 57 motorcyclists, 14 bicyclists and 132 pedestrians were killed in New Jersey in traffic-related crashes in 2013; and

WHEREAS, Safer driving behaviors such as buckling up every ride; obeying posted speed limits; stopping for pedestrians in crosswalks and using crosswalks when walking; avoiding aggressive driving behaviors; never driving impaired; wearing proper safety gear while riding a motorcycle or bicycle; and focusing solely on driving by avoiding distractions can dramatically reduce the number of traffic-related injuries and deaths.

NOW, THEREFORE, BE IT RESOLVED That the Township Committee of the Township of Montgomery hereby proclaim October 10, 2014 as "Put the Brakes on Fatalities Day" and call upon everyone to put these lifesaving behaviors into practice to improve safety on the roadways in our community and throughout the State.

- 7-1. Committeewoman Graham moved the adoption of the foregoing resolution. The motion was seconded by Deputy Mayor Sugden and carried unanimously.

8. **PUBLIC COMMENT**

Mayor Smith opened the public comment portion of the meeting. There being no public comment, Mayor Smith closed this portion of the meeting.

9. **CONSENT AGENDA** - All matters listed hereunder are considered to be routine in nature and will be enacted in one motion. Any Township Committeeperson may request that an item be removed for separate consideration.

A. **RESOLUTION #14-10-208 - REFUND OVERPAID 2014 TAXES**

BE IT RESOLVED That a refund in the amount of \$1,387.52 be given to Han, Yuyu & Zhang, Jingjing, 204 Tomahawk Court, Belle Mead, NJ 08502 for the overpayment of 2014 taxes on Block 5018 Lot 204.2 CONDO.

(CONSENT AGENDA Cont.)

B. **RESOLUTION #14-10-209 - TEMPORARY ROAD CLOSING - Block Party - Van Zandt Road**

BE IT RESOLVED By the Montgomery Township Committee that authorization is hereby given for the temporary closing of a portion of Van Zandt Road to accommodate a neighborhood block party scheduled for October 26, 2014 from approximately 2:00 - 5:00 p.m. The Montgomery Township Police have no objection to the road closing provided that:

The roadway must be made accessible to emergency vehicles.

The roadway must be made accessible to traffic originating and terminating on the closed section.

Block party organizers should provide advance courtesy notification to those residents that will be affected by the closure.

C. **RESOLUTION #14-10-210 - APPROVAL OF OUTDOOR ASSEMBLY - Car Show at Princeton Airport**

BE IT RESOLVED By the Montgomery Township Committee as follows:

1. David Twormey requested approval of the Township Committee to conduct an Outdoor Assembly for a car show at Princeton Airport, Route 206, Princeton, NJ 08540 on October 18, 2014.
2. The Township Committee has considered the application and hereby grants the same subject to the following conditions:
  - (a) This approval is for the period specified and is not to be considered approval to conduct similar events without Committee approval.
  - (b) This event shall be held subject to the provisions of the Montgomery Township Code, Outdoor Assembly, Chapter 4-2.1.
  - (c) Approval of this event is pending clearance by the Health Department and Fire Prevention Department as stated below:
3. The Montgomery Township Police Department has reviewed and approved the application and requires that one officer on private duty be utilized to control traffic.
4. The organizers will obtain the required food handler certificate from the Township Health Department and an open flame permit from the Fire Marshall.

D. **RESOLUTION #14-10-211 - DECLARING CERTAIN TOWNSHIP EQUIPMENT AS SALVAGE - MIS**

WHEREAS, The Township of Montgomery currently owns various computer equipment that the MIS Coordinator has determined is no longer needed for public use; and

WHEREAS, The Township desires to dispose of said salvage personal property.

NOW, THEREFORE, BE IT RESOLVED By the Township Committee of the Township of Montgomery in Somerset County, New Jersey as follows:

The Purchasing Agent and MIS Coordinator are hereby authorized and directed to dispose of said personal items.

- 1 HP Deskjet 6122 Printer
- 6 Dell M781 CRT Monitors
- 1 HP Laserjet 8150n Printer
- 1 Addler Royal Typewriter
- 1 Dell 3110cn Printer
- 1 Gateway EV700a CRT Monitor
- 1 APC BF500 UPS
- 2 APC SC420 UPS
- 10 Dell Optiplex GX 280 PC
- 2 Ricoh Ecabinets
- 3 Dell Optiplex GX 260 PC
- 1 Dell Precision 330 PC

(CONSENT AGENDA Cont.)

E. **RESOLUTION #14-10-212 - DECLARING CERTAIN TOWNSHIP EQUIPMENT AS SALVAGE -  
Police Department**

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WHEREAS, The Township of Montgomery Police Department currently owns various computer equipment that the Police Public Safety/Network Coordinator has determined is no longer needed for public use; and

WHEREAS, The Township desires to dispose of said salvage personal property.

NOW, THEREFORE, BE IT RESOLVED By the Township Committee of the Township of Montgomery in Somerset County, New Jersey as follows:

The Purchasing Agent and Police Public Safety/Network Coordinator are hereby authorized and directed to dispose of said personal items.

8 Dell OptiPlex GX150  
3 Dell OptiPlex GX110  
1 Dell OptiPlex GX280  
1 Stratagy  
1 Racal InterLanLink 32TPM  
3 Dell PP01X Laptop  
8 Panasonic CF-27 MDT  
2 Panasonic CF-28 MDT  
5 Panasonoc CF-29 MDT  
1 Brother ML 500  
2 TrippLite APC  
1 Dell PRO3X Dock 1  
1 Dell Poweredge 2500  
1 HP LaserJet 5P  
2 WatchGuard FireBox

F. **RESOLUTION #14-10-213 - RESOLUTION APPROVING SUBMISSION OF A GRANT APPLICATION AND EXECUTION OF A GRANT CONTRACT WITH THE NEW JERSEY DEPARTMENT OF TRANSPORTATION FOR THE MONTGOMERY ROAD SIDEWALK CONNECTOR PROJECT (NJDOT 2015 Bikeways Grant)**

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NOW, THEREFORE, BE IT RESOLVED That the Township Committee of the Township of Montgomery, Somerset County, New Jersey formally approves the grant application for the above stated project; and

BE IT FURTHER RESOLVED That the Mayor and Clerk are hereby authorized to submit an electronic grant application identified as BIKE-2015-Montgomery Road Sidewalk Connector-00037 to the New Jersey Department of Transportation on behalf of Montgomery Township; and

BE IT FURTHER RESOLVED That the Mayor and Clerk are hereby authorized to sign the grant agreement on behalf of Montgomery Township and their signature constitutes acceptance of the terms and conditions of the grant agreement and approves the execution of the grant agreement.

G. **RESOLUTION #14-10-214 - APPROVAL TO SUBMIT A GRANT APPLICATION AND EXECUTE A GRANT CONTRACT WITH THE NEW JERSEY DEPARTMENT OF TRANSPORTATION FOR THE BRIDGEPOINT ROAD OVERLAY PROJECT**

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NOW, THEREFORE, BE IT RESOLVED That the Township Committee of the Township of Montgomery formally approved the grant application for the above stated project; and

BE IT FURTHER RESOLVED That the Mayor and Clerk are hereby authorized to submit an electronic grant application identified as MA-2015-Bridgepoint Road Overlay Project-00097 to the New Jersey Department of Transportation on behalf of the Township of Montgomery; and

BE IT FURTHER RESOLVED That the Mayor and Clerk are hereby authorized to sign the grant agreement on behalf of the Township of Montgomery and that their signature constitutes acceptance of the terms and conditions of the grant agreement and approves the execution of the grant agreement.

H. **RESOLUTION #14-10-215 - RELEASE OF ESCROW FEE - Eric Andrew -  
Street Opening Permit #13-R-52**

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WHEREAS, George Remboske, Assistant to the Township Engineer, has recommended the release of the cash escrow fee to Eric Andrew because all work has been satisfactorily completed with respect to a street opening permit at Block 18006, Lot 13 (86 Cairns Place).

NOW, THEREFORE, BE IT RESOLVED By the Montgomery Township Committee that the cash escrow fee in the amount of \$158.00 be released to Eric Andrew, 86 Cairns Place, Belle Mead, NJ 05802.

9-1. Committeeman Trzaska moved the adoption of the **CONSENT AGENDA**. The motion was seconded by Deputy Mayor Sugden and carried on the following:

**ROLL CALL** - Ayes - Graham, Trzaska, Sugden, Smith  
Nays - None  
Absent - Madrid

10. **RESOLUTION #14-10-216 - AWARD OF BID - Snow Plowing Services**

WHEREAS, The following bids for Snow Plowing Services were received and publicly opened on September 16, 2014:

<u>BIDDER</u>	<u>AMOUNT</u>
Green Scape Landscape Contractor, Inc.	\$160.00/hour \$199.00/hour for additional trucks in excess of 15
Grosso 7 Lots, LLC	\$215.00/hour

WHEREAS, It is the recommendation of the Purchasing Agent and the Township Attorney that Green Scape Landscape Contractor, Inc. be awarded the bid, it being the lowest responsible bidder; and

WHEREAS, A certificate as to the availability of funds has been signed by the Chief Financial Officer and is on file in the office of the Township Clerk.

WHEREAS, There exists within the Streets and Roads Department sufficient uncommitted funding for this service.

NOW, THEREFORE, BE IT RESOLVED By the Montgomery Township Committee that a two year contract, effective November 1, 2014, for Snow Plowing Services is hereby awarded to Green Scape Landscape Contractor, Inc., 733 Willow Grove Avenue, Glenside, PA 19038 in the amount of \$160.00 per hour and \$199.00 per hour for additional trucks in excess of 15.

BE IT FURTHER RESOLVED That the Mayor and Clerk are hereby authorized to sign said contracts.

10-1. Deputy Mayor Sugden moved the adoption of the foregoing resolution. The motion was seconded by Committeewoman Graham and carried on the following:

**ROLL CALL** - Ayes - Graham, Trzaska, Sugden, Smith  
Nays - None  
Absent - Madrid

11. **RESOLUTION #14-10-217 - AUTHORIZING PURCHASE OF ONE (1) 2015 JEEP LIBERTY PATRIOT 4WD 4DR SPORT SUV THROUGH THE NEW JERSEY STATE CONTRACT - Code Enforcement**

WHEREAS, Exemptions from competitive bidding are allowed for items/services purchased through New Jersey State Contract per N.J.S.A.40A:11-12; and

WHEREAS, The Township of Montgomery has determined the following State Contract identifier 1NJCP Contract #A83011 (T2007) has provided the Township with the most competitive price for these items/services.

WHEREAS, The Chief Financial Officer has certified that there are sufficient funds available for this purchase in Account Number 04-216-55-901-1472D.

NOW, THEREFORE, BE IT RESOLVED By the Township Committee of the Township of Montgomery that the following purchase for one (1) 2015 Jeep Liberty Patriot 4WD 4dr Sport SUV at a not to exceed amount of \$18,703.25 be authorized through the utilization of the New Jersey State Contract to:

Hertrich Fleet Services, Inc.  
1427 Bay Road  
Milford, DE 19963

11-1. Committeeman Trzaska moved the adoption of the foregoing resolution. The motion was seconded by Deputy Mayor Sugden and carried on the following:

**ROLL CALL** - Ayes - Graham, Trzaska, Sugden, Smith  
Nays - None  
Absent - Madrid

12. **RESOLUTION #14-10-218 - ABC LICENSE #1813-33-011-001 - MTC Restaurant II, LLC**

WHEREAS, Based on the following information regarding the renewal of ABC License #1813-33-011-001 for MTC Restaurant II, LLC:

- a. The submitted application form is complete in all aspects.
- b. The applicant is qualified to be licensed according to all standards established by the New Jersey Alcoholic Beverage Control Act, the regulations promulgated thereunder, as well as any pertinent local ordinances or division-approved conditions.
- c. The applicant previously disclosed and the Township Committee from the authority previously reviewed the source of funds used in connection with the initial purchase of the license and licensed business and additional financing obtained in connection with the licensed business.
- d. No reports of violations have been filed by the Health Officer, Police Department and Fire Prevention Official.

NOW, THEREFORE, BE IT RESOLVED By the Township Committee of the Township of Montgomery that a renewal of Alcoholic Beverage Control License #1813-33-011-001 is hereby granted for the year 2014-2015.

- 12-1. Committeewoman Graham moved the adoption of the foregoing resolution. The motion was seconded by Deputy Mayor Sugden and carried on the following:

**ROLL CALL** - Ayes - Graham, Trzaska, Sugden, Smith  
Nays - None  
Absent - Madrid

13. **RESOLUTION #14-10-219 - ABC LICENSE #1813-33-012-001 - MTC Restaurant III, LLC**

WHEREAS, Based on the following information regarding the renewal of ABC License #1813-33-012-001 for MTC Restaurant III, LLC:

- a. The submitted application form is complete in all aspects.
- b. The applicant is qualified to be licensed according to all standards established by the New Jersey Alcoholic Beverage Control Act, the regulations promulgated thereunder, as well as any pertinent local ordinances or division-approved conditions.
- c. The applicant previously disclosed and the Township Committee from the authority previously reviewed the source of funds used in connection with the initial purchase of the license and licensed business and additional financing obtained in connection with the licensed business.
- d. No reports of violations have been filed by the Health Officer, Police Department and Fire Prevention Official.

NOW, THEREFORE, BE IT RESOLVED By the Township Committee of the Township of Montgomery that a renewal of Alcoholic Beverage Control License #1813-33-012-001 is hereby granted for the year 2014-2015.

- 13-1. Committeewoman Graham moved the adoption of the foregoing resolution. The motion was seconded by Deputy Mayor Sugden and carried on the following:

**ROLL CALL** - Ayes - Graham, Trzaska, Sugden, Smith  
Nays - None  
Absent - Madrid

14. **RESOLUTION #14-10-220 - AUTHORIZING THE TOWNSHIP OF MONTGOMERY TO CONDUCT A SELF-EXAMINATION OF THE 2014 BUDGET**

WHEREAS, N.J.S.A. 40A:4-78b has authorized the Local Finance Board to adopt rules that permit municipalities in sound fiscal condition to assume the responsibility, normally granted to the Director of the Division of Local Government Services, of conducting the annual budget examination; and

WHEREAS, N.J.A.C. 5:30-7 was adopted by the Local Finance Board on February 11, 1997; and

WHEREAS, Pursuant to N.J.A.C. 5:30-7.2 through 7.5, the Township of Montgomery has been declared eligible to participate in the program by the Division of Local Government Services, and the Chief Financial Officer has determined that the local government meets the necessary conditions to participate in the program for the 2014 budget year.

NOW, THEREFORE, BE IT RESOLVED By the Township Committee of the Township of Montgomery that in accordance with N.J.A.C. 5:30-7.6a & 7.6b and based upon the Chief Financial Officer's certification, the governing body has found the budget has met the following requirements:

(Item #14 Cont.)

1. That with reference to the following items, the amounts have been calculated pursuant to law and appropriated as such in the budget:
  - a. Payment of interest and debt redemption charges.
  - b. Deferred charges and statutory expenditures.
  - c. Cash deficit of preceding year.
  - d. Reserve for uncollected taxes.
  - e. Other reserves and non-disbursement items.
  - f. Any inclusions of amounts required for school purposes.
2. That the provisions relation to limitation on increases of appropriations pursuant to N.J.S.A. 40A:4-45.2 and appropriations for exceptions to limits on appropriations found at N.J.S.A. 40A:4-45.3 et seq., are fully met (complies with CAP law).
3. That the budget is in such form, arrangement, and content as required by the Local Budget Law and N.J.A.C. 5:30-4 and 5:30-5.
4. That pursuant to the Local Budget Law:
  - a. All estimates of revenue are reasonable, accurate and correctly stated,
  - b. Items of appropriation are properly set forth,
  - c. In itemization, form, arrangement and content, the budget will permit the exercise of the comptroller function within the municipality.
5. The budget and associated amendments have been introduced and publicly advertised in accordance with the relevant provisions of the Local Budget Law, except that failure to meet the deadlines of N.J.S.A. 40A:4-5 shall not prevent such certification.
6. That all other applicable statutory requirements have been fulfilled.

BE IT FURTHER RESOLVED that a copy of this resolution will be forwarded to the Director of the Division of Local Government Services upon adoption.

14-1. Committeeman Trzaska moved the adoption of the foregoing resolution. The motion was seconded by Deputy Mayor Sugden and carried on the following:

**ROLL CALL** - Ayes - Graham, Trzaska, Sugden, Smith  
Nays - None  
Absent - Madrid

15. **ORDINANCE #14-1478 - Mill Pond Park Concession Stand Lease - Public Hearing**

A. Mayor Smith read the title of the ordinance as follows:

AN ORDINANCE OF THE TOWNSHIP OF MONTGOMERY IN SOMERSET  
COUNTY AUTHORIZING PURSUANT TO N.J.S.A. 40A:12-14 A  
LEASE FOR THE CONCESSION STAND AT MILL POND PARK TO THE  
MONTGOMERY TRAVELERS SOCCER CLUB

B. Mayor Smith opened the hearing to the public. There being no comment, Committeeman Trzaska moved that the public hearing be closed. The motion was seconded by Deputy Mayor Sugden and carried unanimously.

C. BE IT RESOLVED By the Township Committee of the Township of Montgomery that the foregoing ordinance be hereby adopted this 2<sup>nd</sup> day of October, 2014 and that notice thereof be published in an official newspaper as required by law.

15-1. Deputy Mayor Sugden moved the adoption of the foregoing resolution. The motion was seconded by Committeeman Trzaska and carried on the following:

**ROLL CALL** - Ayes - Graham, Trzaska, Sugden, Smith  
Nays - None  
Absent - Madrid

16. **APPROVAL OF MINUTES - September 18, 2014**

The minutes of September 18, 2014 were approved as printed.

17. **PAYMENT OF BILLS**

WHEREAS, The Township Committee of the Township of Montgomery has received bills to be paid as listed; and

WHEREAS, The Chief Finance Officer and the Township Administrator have reviewed these bills and have certified that these bills represent goods and/or services received by the Township, that these are authorized and budgeted expenditures and that sufficient funds are available to pay these bills;

NOW, THEREFORE, BE IT RESOLVED By the Township Committee of the Township of Montgomery as follows:

1. That these bills are hereby authorized for payment; and
2. That checks in the proper amounts are prepared and that necessary bookkeeping entries are made; and
3. That the proper Township Officials are authorized to sign the checks.

17-1. Deputy Mayor Sugden moved the adoption of the foregoing resolution. The motion was seconded by Committeeman Trzaska and carried on the following:

**ROLL CALL** - Ayes - Graham, Trzaska, Sugden, Smith  
Nays - None  
Absent - Madrid

18. **ECONOMIC DEVELOPMENT COMMISSION MEMBERSHIP**

Attorney Hadinger explained that Township Clerk Donna Kukla put the Economic Development Commission portion of the Code in the Governing Body's packets for their review. There had been a discussion at the September 18, 2014 Township Committee meeting about eliminating the requirement that all members be residents of the Township. She suggested that the Governing Body look at the entire ordinance for any changes they thought were necessary to go along with the residency requirement.

Mayor Smith stated that he would like the requirement to be that a member must either be a resident or a business owner in the Township. Township Committee concurred with that suggestion. It was decided that up to three members can be non-resident business owners, and at least four must be residents or business owners who are residents.

19. **PUBLIC WORKS DEPARTMENT REPORT**

Mayor Smith stated that he asked Superintendent of Public Works Art Villano to put together a synopsis of the work that was completed this summer. This is a short list of the work:

- 63 days of pot hole repair work;
- 31 days of paving, including Dead Tree Road, Willow Road, Mill Pond Road, Cherry Hill Road, Dutchtown-Zion Road, Harlingen Road and Burnt Hill Road;
- 4 days of paving repair in the School system parking lots;

Mayor Smith spoke about the 8 foot wide paver, and how much easier and cost effective this machine was.

Mayor Smith stated that the sidewalk repair program is supposed to start in October, which will include the Yorkshire Woods and Woodsedge developments.

20. **ECONOMIC DEVELOPMENT COMMISSION**

Mayor Smith stated that the Commission is anxious to get the second annual Directory going.

21. **RECREATION COMMITTEE**

Mayor Smith reported that the Recreation Committee held their first meeting in many months. There was discussion regarding work to Montgomery Park, Lubas Field and the park in the Woodsedge Development. Much of this would be maintenance and sprucing up.

Administrator Nieman reported that Recreation Director Karen Zimmerman has been seeking information regarding electrical repair work and new playground equipment for Montgomery Park. Committeeman Trzaska asked that she also include park benches.

22. RESOLUTION TO CLOSE MEETING TO THE PUBLIC

BE IT RESOLVED by the Township Committee of the Township of Montgomery in Somerset County, New Jersey as follows:

1. The Township Committee will now convene in a closed session that will be limited only to consideration of items with respect to which the public may be excluded pursuant to Section 7B of the Open Public Meetings Act.
2. The general nature of the subjects to be discussed in this session is as follows:
  - Advice of Bond counsel with respect to SEC compliances;
  - Negotiations with Transco regarding compensation for the diversion of lands.
3. It is unknown precisely when the matters discussed in this session will be disclosed to the public. No agreement shall be approved except by action of the Township Committee in Open Session.

22-1. Committeeman Trzaska moved the adoption of the foregoing resolution. The motion was seconded by Committeewoman Graham and carried unanimously.

23. The meeting reconvened in Open Session and ADJOURNMENT was at 8:31 p.m. on a motion by Committeeman Trzaska. The motion was seconded by Committeewoman Graham and carried unanimously.

Date of Approval:

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Donna Kukla, Township Clerk